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UNCLAS SOFIA 000637

SENSITIVE
SIPDIS

EUR/CE FOR TOM YEAGER
INL FOR ELIZABETH CARROLL
FBI HQ FOR SC MATTHEW HERON
FBI FOR AD KENNETH KAISER

E.O. 12958: N/A
TAGS: [PGOV](#) [PREL](#) [KCOR](#) [KCRM](#) [BU](#)
SUBJECT: SETTING UP A BULGARIAN COUNTER-OC TASK FORCE:
REQUEST FOR FBI AND POLYGRAPH ANTI-OC EXPERTS

¶1. (SBU) Summary. Interior Minister Mikov and Deputy Minister Yankulova welcomed the results of the U.S. assessment of the Interior Ministry (MOI) and agreed to implement our recommendation to create a centralized pilot counter-OC task force. Mikov requested U.S. practical assistance. Post seeks a Federal Bureau of Investigation OC expert, with experience in fighting the New York City organized crime groups, and polygraph expert assistance from the DOJ International Criminal Investigative Training Assistance Program (ICITAP). Under both domestic and international pressure to show reform and results, Mikov stressed the need to implement this task force immediately. End Summary.

Problems Fighting OC

¶2. (SBU) DOJ (ICITAP) and the Embassy Rule of Law Task Force cooperated in a methodical assessment of the MOI. It confirms massive structural, procedural, training, staffing, personnel, and internal control shortcomings. An urgent overhaul is necessary. But the Bulgarians also need to show demonstrable immediate anti-OC progress. Our assessment shows that:

-- the decentralization of the MOI organized crime unit, initiated in 2006 and reinforced in a recent re-organization, allows for leaks of sensitive information such as identities of investigation targets, informants, witnesses, and undercover operatives; and

-- regional counter-OC units are subordinated to the regional police commander, undermining their independence.

As a result, and combined with other failures and mismanagement, the MOI does not have any evidence against the most notorious of Bulgarian crime bosses. The MOI has completely lost the confidence of the Prosecution Service, which now relies on the new security agency DANS for sensitive organized crime cases. Duplication of responsibilities with the DANS (whose officers are paid twice as much as MOI's) creates competition and morale issues. But, DANS, designed for counter-intelligence and counter-terrorism, does not have the requisite capacity or legal authority to investigate crimes (and we want it to concentrate on its core missions in any case).

What Bulgarians can do now

¶3. (U) Interior Minister Mikov and DepMinister Yankulova accepted our report,s findings and recommendations. Separately, Prosecutor General Velchev also emphatically agreed that a pilot counter-OC strike force is needed, and committed to work with Mikov on setting it up. Under existing legal authority, the Interior Minister and the Prosecutor General's Office can re-direct human resources to create such a pilot task force. It would target major known crime figures and prepare at least one case for trial, using current laws including Article 321 of the Bulgarian penal code, which criminalizes membership in an organized crime group. The task force members would be vetted with an updated thorough background investigation and a polygraph examination. Prosecutors, who would lead the task force, should be paid consistent with the level of responsibility and danger. Until MOI proves it is not compromised or complicit, DANS operatives will be essential for team integrity and foreign government confidence. The key is to develop information that can be used in a court of law; hence investigative authority will be entrusted to those MOI members in whom Prosecutor General Velchev and the Interior Minister have complete confidence. The Prosecutor General has told us bluntly that he will not accept cases from a task force without DANS involvement.

What we need from Washington

¶4. (SBU) A targeted investment in the initial start up of the task force will help overall chances of success. We recommend specific support, including:

-- FBI: Send one Senior Specialist Agent with experience in combating organized crime organizations in New York City to consult with the designated Bulgarian operational lead for the task force on the task force structure and personnel, procedures, and mechanisms for coordinating across agencies and jurisdictions during the task force set-up period. This advisor would not be operational and would act in an advisory capacity only. We estimate that this initial period will last approximately 90 days.

-- DOJ: ICITAP to consult with the Bulgarians on the vetting of task force members, including the use of polygraphs so the task force selects the right people.

Comment

¶5. (SBU) Mikov and Velchev are serious about moving forward; and they have again turned to the U.S. for advice and assistance. The Prime Minister is committed to showing results. The job is immense, and many Bulgarians now believe that both DANS and the MOI are discredited (septel), and perhaps beyond Bulgarian,s capacity. Much of this is normal Bulgarian skepticism and pessimism. It,s not the whole story. Ordinary Bulgarians thirst for success and look for friends to offer a helping hand. Modest U.S. commitments of TDY expertise will push the Bulgarians forward. Bulgarian authorities know they bear ultimate responsibility for the task force's success or failure. And they accept that U.S. assistance is tied to mutually-agreed upon benchmarks

McEldowney